

Minutes of the Zoning Board of Appeals Meeting of September 20, 2012 - 7:00 P.M.

MEMBERS PRESENT: Regis Barrett, Chairman
 Jeanne Hartman
 Earl Bloam
 Wally Parker
 Dean Bredenbeck

ABSENT:

ALSO PRESENT: Barbara Stanton, Secretary
 Tom Ockington, Building Commissioner

Chairman Barrett – I would like to call the Zoning Board of Appeals meeting to order. Roll call was taken and the following members were present, Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.

A motion was made by Earl Bloam, second by Jeanne Hartman to approve the minutes from August 16, 2012. **Vote Resulted: - Yes – Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.**

Chairman Barrett: **Item #1** – Appeal of the denial from the Planning Commission for a request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential vacant lot located north of 4403 Tiedeman Road P. P. # 432-08-008; **Item #2** - A request from Cleveland Bible Baptist Church for necessary variances to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential vacant lot located north of 4403 Tiedeman Road on Permanent Parcel # 432-08-008 Sections 1129.03(b)(5)(K); 1129.03(c); 1129.03(d); **Item #3** - Appeal of the denial from the Planning Commission for a request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential vacant lot located at 4455 Tiedeman Road P. P. # 432-09-001; **Item #4** - A request from Cleveland Bible Baptist Church for necessary variances to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential vacant lot located at 4455 Tiedeman Road on P. P. # 432-09-001 Sections 1129.03(b)(5)(K); 1129.03(c); 1129.03(d) Chairman Barrett: 4455 Tiedeman Road is south of the church and 4403 Tiedeman Road is north of the church. Ron VanKirk was present representing the Cleveland Bible Baptist Church. Ron VanKirk: The reason why we are requesting this is we have a sign currently on our property. Photos were distributed to the board. The current sign is old, out dated and it is an eye sore. There was damage to the sign when Dominion East Ohio Gas Company work was performed on Tiedeman Road. The new signs that we are attempting to install are modern and fit in much better with the church structure and the structures that are on Tiedeman Road. The signage would have brick siding and be eye level to the surroundings. As far as the location of the signage; the church purchased the three lots north of 4403 Tiedeman Road and the two lots south of the church campus. Where the signs would be located is surrounded on both sides by the property the church owns. Although the parcel is not on the church campus as it currently stands it is still the churches property. It is of our opinion that the surrounding property value will not be impacted by the signs. It will enhance the look from the road; it's more professional and modern. It will be similar to the sign at American Greetings. Due to the way the ordinances read, the properties have been residential, it has changed. Two lots are vacant; one lot on the south side of the church is vacant except for the garage. There are no houses around the two lots north of neither the church nor south of the church. Although they are zoned residential there is no one living on those lots. An aerial view of the campus was passed out to the board. There was discussion of where the location of each building is located on the church campus. The church is growing and because we are growing there is a need for expansion. The church is in the process of presenting a future plan with architectural drawings for the expansion. The architectural drawings were passed out to the board. Right now on our Sunday morning services, we currently have approximately 500 parking spaces on the church lot. On a normal Sunday, not a special holiday, we have about ten spaces left open from our 11 A.M. service. Referring to the architectural drawings Mr. VanKirk indicated where the new expansion of buildings will be proposed; as well as additional frontage to the front of the church. With the addition to the front expansion it will eliminate all parking that is currently in front of the church which is 35 spaces with another 100 parking spaces. 27% of what the church currently has for parking will be completely eliminated. When having special services we were forced to use American Road. We have outgrown our current fellowship hall. We need seating for about 800 people. We are using the gymnasium currently. The expansion is years out and it will be

completed in separate phases. Where the signs are being proposed in the future we will need additional parking and building and that is when the remainder of the property will be utilized in our future plans. The signs are incorporated with the future expansion of the ministry in mind.

The reason for the request for the variances is to continue moving forward for our church and what it wants to do. There was discussion regarding leaving green space and additional parking. We are trying to plan for the future and we need to replace the current sign. The current sign is not feasible. We would rather spend the money now to purchase the signs that fit in with the rest of the future plan as opposed to spending money on a sign that would not be feasible due to the distance between the future expansion of the front and the location of the sign as it stands today. There was discussion of where the new proposed expansions will be placed. This is a broad picture of where the church is heading and the future plans not only to benefit the church but also for the community. The Planning Commission denied this request and that is why I wanted to present this information to you tonight and appeal that decision. Chairman Barrett: Did you give this presentation to the Planning Commission? Mr. VanKirk: I did not. I wanted to stay out of this process for obvious reasons and the Pastor was present at the Planning meeting. Chairman Barrett: The situation is that information supplied to the Planning Commission, on the appeals part we are reviewing. The board is now getting more information than the Planning Commission received. My suggestion to you would be to take all the information you presented tonight back to the Planning Commission and at least see if you can obtain a conditional use approval. Commissioner Ockington: Conditional use would eliminate a lot of the issues with the signs on a residential district if granted. It would still be a residential district. Mr. VanKirk: I will be happy to do that. I really didn't think when we presented this to the Planning Commission that it would be denied. Chairman Barrett: There are a lot of issues. You are asking for signs on residential property. The only way to change this status is to request a conditional use or change the zoning and that would require placing this on the ballot for the residents to vote on. The most efficient way is to apply to the Planning Commission for conditional use. Wally Parker: Wouldn't it be to their best interest to get the zoning changed. Chairman Barrett: Technically the church area is zoned residential property. The church does have conditional use. The zoning map was reviewed by the board. Earl Bloam: Why don't you replace the existing sign in the same location? Mr. VanKirk: There isn't enough room to do that out front. The distance between the sign and sidewalk is about three feet. Earl Bloam: I am not sure if the neighbors will be happy with the signage. Mr. VanKirk: I understand, but not everyone will be happy with decisions. We own both parcels to the north and south of where the signs are being proposed. As a church we have always tried to put the community first with everything we have done above and beyond. Commissioner Ockington: The church as it stands preceded the zoning. The church property is considered permitted use according to the non conformity part of the zoning code; it's something that would be a conditional use under the new zoning code. The existing church property is a permitted use if they expanded, the expansion would be a conditional use. The problem that they would have is if they got a conditional use now they need to get a building permit to do it within a year or the conditional use will expire. Mr. VanKirk: We are unable to expand in a year. The reason we want two signs is how they are going to be positioned so both sides of the street are able to identify the location. There was further discussion regarding the proposed signage. Dean Bredenbeck: Is the signage defining the boundaries of the property? Mr. VanKirk: In a way it does, but it looks more professional. The signs would not have a messaging component. The Pastor would like a professional looking sign. There was discussion regarding parking, ulterior locations for potential parking, and storm water management. Mr. VanKirk: We want to plan for the future and we want to use our resources wisely. Wally Parker: What is the timetable for the expansions? Mr. VanKirk: It will be done in phases. We are looking at about five different phases we planned out. We want to put an addition to the front of the church; two three years out on that. Our church likes to operate debt free. Before we would do any of the expansion, we would need to save quite a bit of money. We are still paying off the property purchase. We are talking years down the road. We are currently saving for this project. Commissioner Ockington: If you are hearing an appeal, you should be looking at what was presented at the Planning Commission. If they were ready to move forward with the conditional use, and they received a conditional use approval, the entire complex would be the religious use. Technically it is still zoned residential; it is all part of the complex particularly if you took the lot lines out. The fact that the signs are proposed and then it will take years for the expansion is the issue. Mr. VanKirk: We are at the mercy of the contributions to the church. We are taking steps for the future. The signs would enhance the area, look of the church and it is a low profile sign. There was further discussion regarding the position of the signs. Earl Bloam: I am concerned that the information presented today was not heard by the Planning Commission. Chairman Barrett: This is not just a request for variances; it is a request for an appeal. Commissioner Ockington: I would be more comfortable if the board would defer and we can have the law director review this information. Mr. VanKirk: The church did not realize that the signs would be based on so many stipulations. The board agreed that there was more information presented at the meeting than the Planning Commission received.

A motion was made by Regis Barrett, second by Earl Bloam to defer the request for an appeal of the denial from the Planning Commission for a request from Cleveland Bible Baptist Church to install a thirty-five (35) square foot single-sided free standing sign in the front yard on the adjacent residential vacant lot located north of 4403 Tiedeman Road for sixty days. **Vote Resulted: - Yes – Regis Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.**

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A motion was made by Jeanne Hartman, second by Dean Bredenbeck to adjourn the meeting. **Vote Resulted: - Yes Regis- Barrett, Jeanne Hartman, Earl Bloam, Wally Parker, Dean Bredenbeck.**



Barbara Stanton, Secretary



Regis Barrett, Chairman